

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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WRIT PETITION No. 21244 OF 2005

29-09-2005

Between:

T.V.Ramaiah.

..... PETITIONER

AND

The APSRTC, rep. by its Regional Manager, Sri Krishna Devaraya Region,
Kadapa & Others.

.....RESPONDENTS

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ORDER :

The petitioner was initially appointed as Conductor in A.P.S.R.T.C. In the year 1989, proceedings were initiated against him, alleging some cash and ticket irregularities. The Depot Manager, Atmakur, 3rd respondent, removed him from service on 31-07-1989. Aggrieved thereby, he preferred an appeal before the Divisional Manager, Nandyal and it was dismissed on 13-09-1989. The Regional Manager, Kadapa, before whom a review was filed, partly allowed it, set aside the order of punishment of removal and directed stoppage of two increments with cumulative effect. The said order is challenged in this writ petition, obviously, by relying upon the judgment of the Supreme Court in ***Kulvant Singh Gill v. State of Punjab***.

Heard learned counsel for the petitioner and learned Standing Counsel for the respondents.

It is true that in a batch of writ petitions, this Court took the view that the punishment of stoppage of increments, with cumulative effect, cannot be imposed without conducting departmental inquiry. Even in such cases, the relief was restricted to those cases, where the orders were passed subsequent to 01.10.1990, following the judgment of the Supreme Court in ***Kulvant Singh Gill's*** case (1st supra). In the instant case, the punishment was preceded by a departmental enquiry. Secondly, it is anterior to the date referred to above. Hence, no relief can be granted and the writ petition is accordingly dismissed. No order as to costs.

29th SEPTEMBER, 2005